

Billing Code 4333-15

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R2-ES-2023-N006; FXES11130200000-234-FF02ENEH00]

Endangered Wildlife; Recovery Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of permit applications; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications for a permit to conduct activities intended to recover and enhance endangered species survival. With some exceptions, the Endangered Species Act (ESA) prohibits certain activities that may impact endangered species, unless a Federal permit allows such activity. The ESA also requires that we invite public comment before issuing these permits.

DATES: To ensure consideration, please submit your written comments by **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

ADDRESSES: *Document availability:* Request documents from the contact in the **FOR FURTHER INFORMATION CONTACT** section.

Comment submission: Submit comments by email to fw2_te_permits@fws.gov. Please specify the permit application you are interested in by number (e.g., Permit Record No. PER1234567).

FOR FURTHER INFORMATION CONTACT: Marty Tuegel, Supervisor, Environmental Review Division, by phone at 505-248-6651, or via email at marty_tuegel@fws.gov. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services.

Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION:

Background

With some exceptions, the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), prohibits activities that constitute take of listed species unless a Federal permit is issued that allows such activity. The ESA's definition of "take" includes hunting, shooting, harming, wounding, or killing, and also such activities as pursuing, harassing, trapping, capturing, or collecting.

The ESA and our implementing regulations in the Code of Federal Regulations (CFR) at title 50, part 17, provide for issuing such permits and require that we invite public comment before issuing permits for activities involving listed species.

A recovery permit we issue under the ESA, section 10(a)(1)(A), authorizes the permittee to conduct activities with endangered or threatened species for scientific purposes that promote recovery or enhance the species' propagation or survival. These activities often include such prohibited actions as capture and collection. Our regulations implementing section 10(a)(1)(A) for these permits are found at 50 CFR 17.22 for endangered wildlife species, 50 CFR 17.32 for threatened wildlife species, 50 CFR 17.62 for endangered plant species, and 50 CFR 17.72 for threatened plant species.

Permit Applications Available for Review and Comment

Documents and other information submitted with these applications are available for review by any party who submits a request as specified in **ADDRESSES**. Our release of documents is subject to Privacy Act (5 U.S.C. 552a) and Freedom of Information Act (5 U.S.C. 552) requirements.

Proposed activities in the following permit requests are for the recovery and enhancement of propagation or survival of the species in the wild. We invite local, State, Tribal, and Federal agencies and the public to submit written data, views, or arguments with respect to these applications. The comments and recommendations that will be most useful and likely to influence agency decisions are those supported by quantitative information or studies. Please refer to the permit record number when submitting comments.

Permit Record Number	Applicant	Species	Location	Activity	Type of Take	Permit Action
PER0116052	New Mexico Office of the State Engineer/Interstate Stream Commission; Los Lunas, New Mexico	Rio Grande Silvery Minnow (<i>Hybognathus amarus</i>)	New Mexico	Captive propagation, maintain captive adult population, educational display, conduct research	Harass, harm, and capture	Renew / Amend
PER0084202	Attwater Prairie Chicken National Wildlife Refuge; Eagle Lake, Texas	Attwater's greater prairie-chicken (<i>Tympanuchus cupido attwateri</i>)	Texas, Oklahoma	Capture, band, tag, collect bio-samples, captive propagation, artificial insemination, collect eggs, transport, salvage, educational display	Harass, harm, and capture	Renew / Amend
PER0087313	Owen, Victoria; San Antonio, Texas	Golden-cheeked warbler (<i>Setophaga chrysoparia</i>)	Texas	Presence/absence surveys	Harass and, harm	New
PER0104851	Prescott National Forest; Camp Verde, Arizona	Southwestern willow flycatcher (<i>Empidonax traillii extimus</i>), Gila chub (<i>Gila intermedia</i>), razorback sucker (<i>Xyrauchen texanus</i>), Colorado pikeminnow	Arizona	Presence/absence surveys	Harass and, harm	Renew / Amend

		(<i>Ptychocheilus lucius</i>), desert pupfish (<i>Cyprinodon macularius</i>), Gila topminnow (<i>Poeciliopsis occidentalis</i>), spikedace (<i>Meda fulgida</i>), loach minnow (<i>Tiaroga cobitis</i>)				
PER0116611	Carreon, Sarah; Helotes, Texas	Golden-cheeked warbler (<i>Setophaga chrysoparia</i>)	Texas	Presence/absence surveys	Harass and, harm	New
PER0115496	Aecom Technical Services, Inc.; Austin, Texas	Golden-cheeked warbler (<i>Setophaga chrysoparia</i>), Houston Toad (<i>Bufo houstonensis</i>)	Texas	Presence/absence surveys, habitat assessment, capture	Harass, harm, and capture	Renew / Amend
PER0115497	Frost, Steve; Helotes, Texas	Golden-cheeked warbler (<i>Setophaga chrysoparia</i>)	Texas	Presence/absence surveys	Harass and, harm	New
PER0116336	Bureau of Land Management – Tucson Field Office; Tucson, Arizona	Mexican long-nosed bat (<i>Leptonycteris nivalis</i>), southwestern willow flycatcher (<i>Empidonax traillii extimus</i>), Gila chub (<i>Gila intermedia</i>), Gila topminnow (<i>Poeciliopsis occidentalis</i>), desert pupfish (<i>Cyprinodon macularius</i>), spikedace (<i>Meda fulgida</i>), loach minnow (<i>Tiaroga cobitis</i>)	Arizona	Presence/absence surveys, nest monitoring, banding, capture, handle, voucher specimen	Harass, harm, capture, and kill	Renew
PER0192207	Hicks & Company; Austin, Texas	Golden-cheeked warbler (<i>Setophaga chrysoparia</i>), northern aplomado falcon (<i>Falco femoralis septentrionalis</i>), red-cockaded woodpecker (<i>Picoides borealis</i>), southwestern willow flycatcher (<i>Empidonax</i>	Arizona, New Mexico, Texas	Presence/absence surveys, habitat assessment, capture	Harass, harm, and capture	Renew

		<i>traillii extimus</i>), Houston Toad (<i>Bufo houstonensis</i>)				
PER0441990	Weiberg, Garrett; Grand Prairie, Texas	peppered chub (<i>Macrhybopsis tetranema</i>), sharpnose shiner (<i>Notropis oxyrhynchus</i>), smalleye shiner (<i>Notropis buccula</i>)	Kansas, New Mexico, Oklahoma, Texas	Presence/absence surveys, habitat assessment, capture, handle, tag, translocate	Harass, harm, and capture	New
PER0658674	SWCA Flagstaff; Flagstaff, Arizona	Southwestern willow flycatcher (<i>Empidonax traillii extimus</i>)	Arizona	Capture, tag	Harass, harm, and capture	Amend
PER0666399	The Nature Conservancy Arizona; Phoenix, Arizona	Southwestern willow flycatcher (<i>Empidonax traillii extimus</i>)	Arizona	Presence/absence surveys	Harass and, harm	New
PER0018550	Mowad, Gary; Scottsdale, Arizona	Ocelot (<i>Leopardus pardalis</i>), Gulf Coast jaguarundi (<i>Puma yagouaroundi cacomitli</i>)	Arizona, New Mexico, Texas	Camera monitoring using scents/attractants	Harass and, harm	New

Public Availability of Comments

All comments we receive become part of the public record associated with this action. Requests for copies of comments will be handled in accordance with the Freedom of Information Act, National Environmental Policy Act, and Service and Department of the Interior policies and procedures. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

Authority

We provide this notice under section 10 of the Endangered Species Act (16 U.S.C. 1531 *et seq.*).

Amy Lueders,
Regional Director, Southwest Region,
U.S. Fish and Wildlife Service.

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